HON'BLE THE CHIEF JUSTICE SRI G.S. SINGHVI
AND
HON'BLE Ms. JUSTICE G. ROHINI

Writ Petition No. 13541 of 1998

Between:

Mudunuri Pattabhi Ramaraju & others

... Petitioners

And

The District Collector,
Machilipatnam, Krishna District & others

... Respondents

:: O R D E R ::

Counsel for the petitioners : Shri C. Ramachandra Raju

Counsel for the respondents : Assistant Government Pleader for Revenue

October 22, 2007

Per G.S. Singhvi, CJ

In this petition, the petitioners have made the following substantive prayer:

> " Under these circumstances, it is just and necessary in the interests of justice that this Hon'ble Court may be pleased to –
> (1)issue an order or direction, more in the nature of writ of mandamus, directing the respondents not to interfere with the right of the petitioner to dig fish tanks in their own lands admeasuring an extent of Ac.17.60 cents situated in R.S.Nos. 59/2, 59/6 to 59/9, 59/11 to 59/15 of Ramannagudem Village, Bapulapadu Mandal, Krishna District in their own lands by declaring that the action of the respondents in not permitting the petitioner to convert their

own lands into fish tanks without issuing any show cause notice and without passing any order in that regard is without jurisdiction, contrary to law, arbitrary, discriminatory, violative of principles of natural justice and violative of Articles 14, 19 and 21 of the Constitution of India and pass such other and further order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

(2)To direct the respondents not to interfere with the right of the petitioners to dig fish tanks in their own lands admeasuring an extent of Ac.17.60 cents situated in R.S.Nos. 59/2, 59/6 to 59/9 and 59/11 to 59/15 of Ramannagudem Village, Bapulapadu Mandal, Krishna District pending disposal of the above writ petition."

Learned counsel for the petitioners says that the writ petition has become infructuous and the same may be disposed of as such. Ordered accordingly.

As a sequel to disposal of the writ petition as infructuous, order dated 13.05.1998 is vacated and W.P.M.P.No.16315 of 1998 is dismissed.

G.S. SINGHVI, CJ

G. ROHINI, J

October 22, 2007
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